

Issuance Date: June 16, 2004

Effective Date: July 16, 2004

Expiration Date: July 15, 2009

WATER TREATMENT PLANT INDUSTRY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE GENERAL PERMIT
Water Treatment Plant General Permit
WAG-64

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained coverage under this permit are hereby authorized to discharge in accordance with the special and general conditions contained herein.

David C. Peeler, Manager
Water Quality Program
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S5.	Request for Compliance Schedule	Once if Applicable	September 16, 2004
S5.	Compliance Schedule Reports	Twice Annually if Applicable	July 16, 2005
S6.A	Discharge Monitoring Report	Monthly	August 15, 2004
S6.E	Noncompliance Notification	As necessary	
S7.A	Operation and Maintenance Manual	Once	October 14, 2004
S7.B	Reporting Bypasses	As necessary	
G1.	Signature Authorization	As necessary	
G6.	Permit Application for Substantive Changes to the Discharge	As necessary	
G7.	Engineering Report for Construction or Modification Activities	As necessary	
G9.	Application for Permit Renewal	1/permit cycle	January 16, 2009
G10.	Notice of Permit Transfer	As necessary	
G23.	Reporting Anticipated Non-compliance	As necessary	
G24.	Reporting Other Information	As necessary	

SPECIAL CONDITIONS**S1. PERMIT COVERAGE****A. Facilities Covered**

This general permit shall cover all water treatment plants (WTPs) that discharge backwash effluent to surface water and meet all the following criteria:

1. Produce potable water or “industrial” water (primary treatment/settled water) where the treatment and distribution of water is the primary function of the facility¹;
2. The wastewater discharge is from water treatment filtration processes (filter backwash, sedimentation/presedimentation basin washwater, filter-to-waste); and
3. Have a maximum production capacity² of 50,000 gallons per day or more of treated drinking water.

B. Geographic Area Covered

The geographic area covered by this general permit shall be the entire State of Washington (State).

C. Facilities With Permit Coverage

Upon issuance of this general permit, all facilities that have permit coverage under the extended water treatment plant general permit issued December 3, 1997, will be covered under this revised water treatment plant general permit.

D. Excluded Facilities

Facilities that meet the requirements of S1.A above but can not meet the water quality requirements of S3.C below may be required to apply for an individual permit. Facilities with coverage under this general permit will retain permit coverage until the effective date of the individual permit.

S2. DISCHARGE AUTHORIZATION REQUIREMENTS**A. Application for Coverage**

1. New facilities or facilities currently operating without permit coverage that qualify under Condition S1., above, shall apply for coverage under this general permit.

¹ “Primary function of the facility” means that the water treatment works are not part of a larger, permitted facility (e.g. pulp and paper mill).

²Maximum production capacity refers to the amount of potable water that a treatment facility is designed to produce at peak output and 24-hour production.

2. A WTP shall submit to the Department of Ecology (Ecology) a completed and signed *Application for Coverage* form specifically prescribed by Ecology for this general permit. All such *Application for Coverage* forms shall be submitted within one hundred and eighty (180) days prior to commencement of the activity which may result in the discharge of any pollutant.

B. Public Notice

1. All new facilities, or any existing WTP facilities for which a significant process change³ is planned shall:
 - a. Submit to Ecology an *Application for Coverage* under this general permit; and
 - b. Cause notice to be circulated within the geographical area of the proposed discharge. Such notice shall:
 - (1) Be published twice by the applicant in the newspaper of greatest general circulation within the county in which the discharge is proposed to be made;
 - (2) Be circulated by any other method as Ecology may direct; and
 - (3) Contain, at a minimum, the following:
 - i. The name, address and location of the facility requesting coverage under this general permit;
 - ii. The applicant's activities or operations that result in a discharge;
 - iii. The name of the general permit under which coverage is requested; and
 - iv. The following statement: "Any person desiring to present their views to Ecology regarding this application may do so in writing, within thirty (30) days of the last date of publication of this notice. Comments should be submitted to Ecology. Any person interested in Ecology's action on this application may notify Ecology of their interest within thirty (30) days of the last date of publication of this notice."
2. All new WTP facilities shall submit to Ecology, along with *Application for Coverage*, proof that such facility has complied with the State Environmental Policy Act (SEPA).

³ Substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants for this industry means a wastewater discharge increase of 25% more than the previous permit, a new source of raw water that requires different treatment processes and alters wastewater discharge characteristics, or change/addition of treatment to remove a substance not previously removed, altering the wastewater discharge characteristics.

C. Coverage Effective Date

1. The effective date of this reissued permit is the effective date for facilities currently covered as identified in S1.C.
2. Unless Ecology notifies the applicant that additional time is required, coverage under this general permit will commence on the later of the following:
 - a. The thirty-first (31st) day following receipt by Ecology of a completed and approved *Application for Coverage*;
 - b. The thirty-first (31st) day following the end of a thirty (30) day public comment period; or
 - c. The effective date of the general permit.
3. In the event that Ecology notifies the applicant that additional time is required to process their application, coverage under this general permit will not commence until 30 days after Ecology has approved the WTP facility's application for coverage. Written notification of approval by Ecology will begin the 30-day period prior to coverage.
4. Any previously issued individual permit shall remain in effect until terminated in writing by Ecology, except that continuation of an expired (extended) individual permit, pursuant to Washington Administrative Code (WAC) 173-220-180(5), shall terminate upon coverage by the general permit.

S3. DISCHARGE LIMITATIONSA. Process Wastewater Discharges

Beginning on the effective date of this permit, the Permittee is authorized to discharge filter backwash water and all other discharges associated with finished water production to waters of the State subject to the following limitations:

1. All Facilities:

EFFLUENT LIMITATIONS		
Parameter	Average Monthly ^a	Maximum Daily ^b
Settleable Solids	0.1 ml/L	0.2 ml/L
pH	within the range 6.0 - 9.0	within the range 6.0 - 9.0
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. Where only one sample is taken in a month, it must not exceed the monthly average.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily		

discharge means the discharge of a pollutant measured during a calendar day, for the reporting period. When there is only one sample during a month, the maximum daily limit is not applicable.

2. Until completion of the compliance schedule or July 16, 2006, whichever comes first, facilities that comply with Special Condition S5 for implementing chlorine reduction are subject to the following limitation:

INTERIM EFFLUENT LIMITATIONS		
Parameter	Average Monthly ^a	Maximum Daily ^b
Total Residual Chlorine	0.3 mg/L	0.5 mg/L
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. Where only one sample is taken in a month, it must not exceed the monthly average.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day, for the reporting period. When there is only one sample during a month, the maximum daily limit is not applicable.		

3. Facilities not under the compliance schedule are subject to the chlorine limitation listed below. Facilities that comply with Special Condition S5 for implementing chlorine reduction are subject to the chlorine limitation listed below after completion of the compliance schedule or July 16, 2006, whichever comes first:

CHLORINE EFFLUENT LIMITATION		
Parameter	Average Monthly ^a	Maximum Daily ^b
Total Residual Chlorine	0.07 mg/L	0.15 mg/L
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. Where only one sample is taken in a month, it must not exceed the monthly average.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day, for the reporting period. When there is only one sample during a month, the maximum daily limit is not applicable.		

B. Mixing Zone Descriptions

A mixing zone consistent with Chapter 173-201A is authorized under this permit. For streams and rivers it will be no more than 30 feet downstream and not to exceed 2.5 percent of the receiving water volume for acute determinations and no more than 300 feet downstream and not to exceed 25 percent of the receiving water volume for chronic determinations. Where dilution is available, the dilution factor is 4 for acute determinations and 26 for chronic and human health determinations.

C. Compliance with Standards

Permittees must comply with Washington State surface water quality standards (Chapter 173-201A WAC), sediment management standards (Chapter 173-204 WAC), ground water quality standards (Chapter 173-200 WAC), and human health-based criteria in the national Toxics Rule (federal Register, Vol. 57, No. 246, December 22, 1992, pages 60848-60923). Compliance with standards applies to all discharges but a compliance schedule may be granted by Administrative Order.

Any addition of chemicals to treat the wastewater (discharge) must comply with manufacturers' recommendations and administered only at a rate appropriate for treatment. The addition of excessive quantities of treatment chemicals to the wastewater is prohibited. The use of treatment chemicals that will result in a water quality violation in the receiving water is prohibited.

All facilities under this permit must comply with any applicable TMDL determination that is completed and accepted as of the effective date of this permit or the effective date of facility coverage under this permit, whichever is later.

All facilities under this permit that discharge to a listed waterbody must monitor for the listed pollutant unless they can demonstrate that the listed pollutant(s) are not present in their discharge. The monitoring schedule will be set by Administrative Order. The applicable listing is the listing that is final as of the effective date of this permit or the effective date of facility coverage under this permit, whichever is later.

1. New facilities must not cause or contribute to an exceedance of the listed pollutant(s).
2. Existing facilities that have potential to cause or contribute to impairment of listed waterbodies must demonstrate that there will be no increase in the concentrations of concern, identify steps that can be taken to reduce pollutant concentration, and incrementally implement those steps. An Administrative Order will set the schedule for meeting this requirement or alternatively, an individual permit may be required.

S4. MONITORING REQUIREMENTS

Permittees shall monitor the wastewater in accordance with the schedule appropriate for their facilities. WTP facilities are divided into two groups based on the design maximum production capacity of product water (drinking water) and source of drinking water.

- **Group 1:** Facilities designed to produce less than 4 million gallons per day or only use ground water for their source water. Group 1 facilities shall follow testing schedule A below.
- **Group 2:** Facilities that treat surface water and are designed to produce 4 million gallons per day or more. Group 2 facilities shall follow schedule B below.

A. Process Wastewater Discharges - Group 1 Facilities

The Permittee shall monitor the wastewater according to the following schedule:

Tests	Units	Test Method/ Accuracy	Sampling Frequency	Sample Type
settleable solids	ml/L	Imhoff Cone (accurate to 0.1 ml/L)	monthly	grab
total residual chlorine	mg/L	Low range (0.01 mg/L) digital colorimetric meter or equivalent method	monthly	grab
pH	Standard Units	Meter (read in hundredths with automatic temperature compensation)	monthly	grab
turbidity	NTU	Meter (accurate to 1 NTU)	monthly	grab

B. Process Wastewater Discharges - Group 2 Facilities

The Permittee shall monitor the wastewater according to the following schedule:

Tests	Units	Test Method/ Accuracy	Sampling Frequency	Sample Type
settleable solids	ml/L	Imhoff Cone (accurate to 0.1 ml/L)	weekly	grab
total residual chlorine	mg/L	Low range (0.01 mg/L) digital colorimetric meter or equivalent method	weekly	grab
pH	Standard Units	Meter (read in hundredths with automatic temperature compensation)	weekly	grab
turbidity	NTU	Meter (accurate to 1 NTU)	weekly	grab

C. Monitoring Requirements - All Facilities

The Permittee shall conduct all monitoring as close to the point of discharge to surface water (end of pipe) as is reasonably possible.

D. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by Ecology.

E. Laboratory Accreditation

All monitoring data required by Ecology shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, turbidity, and internal process control parameters are exempt from this requirement except that conductivity, turbidity, and pH shall be accredited if the laboratory must otherwise be registered or accredited. Chlorine data requires lab accreditation.

S5. COMPLIANCE SCHEDULE

A two (2) year compliance schedule to achieve compliance with the chlorine limit is authorized as follows. Permittees must submit a written request to Ecology by September 16, 2004, to be eligible for the compliance schedule. Permittees under the compliance schedule must comply with the interim chlorine limits during the compliance schedule and comply with the following schedule:

- Year One: No later than July 16, 2005, the Permittee must submit a report to Ecology identifying the action(s) to be taken to reduce chlorine levels
- Year Two: No later than July 16, 2006, the Permittee must submit a report to Ecology documenting completion of the project

S6. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to Ecology shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by Ecology, and be received no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. Discharge monitoring reports, compliance schedule reports, and all other reports and noncompliance notifications shall be submitted to the Department of Ecology at the regional address appropriate for the location of the permitted water treatment facility.

Northwest Regional Office
Department of Ecology
3190 - 160th Avenue SE
Bellevue, WA 98008-5452
(425) 649-7000
For: King, Skagit, Snohomish, San Juan, Kitsap,
Island, and Whatcom Counties

Southwest Regional Office
Department of Ecology
PO Box 47775
Olympia, WA 98504-7775
(360) 407-6300
For: Thurston, Clallam, Jefferson, Grays
Harbor, Mason, Pierce, Lewis, Skamania,
Wahkiakum, Cowlitz, Clark, and Pacific
Counties

Central Regional Office
Department of Ecology
15 West Yakima Avenue, Suite 200
Yakima, WA 98902-3401
(509) 575-2490
For: Yakima, Benton, Klickitat, Chelan, Douglas,
Kittitas, and Okanogan Counties

Eastern Regional Office
Department of Ecology
N. 4601 Monroe, Suite 100
Spokane, WA 99205-1295
(509) 329-3400
For: Spokane, Grant, Adams, Whitman,
Ferry, Franklin, Stevens, Pend Oreille,
Garfield, Columbia, Asotin, Lincoln, and
Walla Walla Counties

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S4 of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the terms and conditions of this permit due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and clean up unauthorized discharges or otherwise stop the noncompliance, correct the problem and, if applicable, repeat sampling and analysis of any noncompliance immediately and submit the results to Ecology within thirty (30) days after becoming aware of the violation.
2. Immediately notify Ecology of the failure to comply.
3. Submit a detailed written report to Ecology within thirty (30) days (five [5] days for upsets and bypasses), unless requested earlier by Ecology. The report shall contain a description of the noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Maintaining a Copy of This Permit

A copy of this permit must be kept at the facility and be made available upon request to Ecology inspectors.

S7. OPERATION AND MAINTENANCE

The Permittee shall, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Operations and Maintenance Manual

An Operations and Maintenance (O&M) Manual shall be prepared by the Permittee in accordance with WAC 173-240-150. New facilities must submit their O&M manual within 30 days of receiving coverage under the WTP general permit. Existing facilities must consider any necessary updates and submit their updated O&M manual within 90 days of the effective date of this permit. The Operations and Maintenance Manual must document the operation and maintenance of the wastewater (e.g. backflush) treatment and discharge systems. At a minimum it must include:

1. Maintenance schedule and procedures for treatment and discharge systems.

2. Monitoring necessary to assure proper functioning of treatment and discharge systems.
3. Emergency shut down and containment procedures in the event of uncontrolled discharge due to plant maintenance activities, severe stormwater events, start ups or shut downs, or other causes.

B. Bypass Procedures

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and Ecology may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions.

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee shall submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass which is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit.

This bypass is permitted only if:

- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
- b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.
- c. Ecology is properly notified of the bypass as required in condition S3E of this permit.

3. Bypass which is Anticipated and has the Potential to Result in Noncompliance of this Permit.

The Permittee shall notify Ecology at least thirty (30) days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its

cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

Ecology will consider the following prior to issuing an administrative order for this type bypass:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under Revised Code of Washington (RCW) 90.48.120.

C. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

S8. SOLID WASTE DISPOSAL**A. Solid Waste Handling**

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into State ground or surface water.

B. Solid Waste Control Plan

The Permittee must maintain a solid waste control plan. New facilities must submit their solid waste control plan within 30 days of receiving coverage under the WTP general permit. Existing facilities must submit their solid waste control plan within 90 days of the effective date of this permit. The plan must include, at a minimum, a description, source, generation rate, and disposal methods of these solid wastes. This plan shall be consistent with any applicable requirements of the jurisdictional health department and any local requirements for a solid waste permit. The plan shall be updated as necessary to reflect changes in solid waste handling and disposal and shall be kept on-site and available for inspection by Ecology.

S9. SPILL PLAN

The Permittee must have, maintain, and implement a spill plan for preventing the accidental release of pollutants to state waters and for minimizing damages if such a spill occurs. New facilities must submit their spill plan within 30 days of receiving coverage under the WTP general permit. Existing facilities must submit their spill plan within 90 days of the effective date of this permit. This plan shall be kept on-site and available for inspection by Ecology. The plan must be reviewed at least annually. The reviewer must initial and date the plan and note any changes added to keep the plan current.

At a minimum it must document procedures for the prevention, containment, and control of spills or unplanned discharges of: 1) oil and petroleum products, 2) materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or 3) other materials which may become pollutants or cause pollution upon reaching state's waters. The plan and any supplements shall be followed throughout the term of the permit.

The spill control plan must include the following:

- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
- A list of all oil and chemicals used, processed, or stored at the facility which may be spilled into state waters.

For the purpose of meeting this requirement, plans and manuals, or portions thereof, required by 33 CFR 154, 40 CFR 109, 40 CFR 110, 40 CFR Part 112, the Federal Oil Pollution Act of 1990, Chapter 173-181, and contingency plans required by Chapter 173-303 WAC may be included by reference as long as they are available on-site.

S10. BEST MANAGEMENT PRACTICES

The Permittee must have, maintain, and implement a plan for the appropriate disposal of hyper-chlorinated sanitation water. This plan shall be kept on-site and available for inspection by Ecology. Disposal of hyper-chlorinated water to surface water without treatment is prohibited.

S11. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

Facilities that discharge stormwater from their sites to surface water or to a separate stormwater sewer system must complete a Stormwater Pollution Prevention Plan (SWPPP). Existing facilities must complete the plan and submit it to Ecology within 90 days of the effective date of this permit. Existing facilities must implement operational or source control Best Management Practices (BMPs) within the first six (6) months following the effective date of this permit and complete treatment BMPs, if required, within the first year following the effective date of this permit. New facilities must submit their stormwater pollution prevention plan before receiving coverage under the WTP general permit and all best management practices must be completed prior to authorized discharge.

A. The SWPPP must include the following:

1. Assessment and description of existing and potential pollutant sources.
2. A description of the operational BMPs.
3. A description of selected source-control BMPs.
4. When necessary, a description of the erosion and sediment control BMPs.
5. When necessary, a description of the treatment BMPs.
6. An implementation schedule.

B. The description of best management practices (BMPs) shall include the following:

1. **Operational Source Control BMPs:** Operational BMPs are common to all facilities and at the minimum include:
 - a. Responsible Party: identification by name or position who is responsible for stormwater management
 - b. Good Housekeeping: listing of ongoing maintenance and cleanup, as appropriate, of areas which may contribute pollutants to stormwater discharges.
 - c. Preventive Maintenance: schedule for inspection and maintenance of the stormwater drainage and treatment systems (if any), and plant equipment and systems that could fail and result in contamination of stormwater.
2. **Structural Source Control BMPs:** identification of any source control BMPs to eliminate or minimize the exposure of stormwater to pollutants.
3. **Treatment BMPs:** identification of any treatment BMPs necessary to reduce pollutants and maintain compliance with water quality standards.
4. **Erosion and Sediment Control BMPs:** identification of potential soil erosion that could contaminate stormwater and BMPs to prevent soil erosion..

GENERAL CONDITIONS**G1. SIGNATORY REQUIREMENTS**

All applications, reports, or information submitted to Ecology shall be signed and certified.

- A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by Ecology shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to Ecology.
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

G2. RIGHT OF INSPECTION AND ENTRY

The Permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.
- B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.
- C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
- D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. PERMIT COVERAGE REVOKED

Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, the Director may require any *discharger* authorized by this permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

- A. Violation of any term or condition of this permit;
- B. Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;
- C. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;
- D. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;
- E. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;
- F. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or

Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

G4. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this permit may request to be excluded from coverage under the industrial stormwater general permit by applying for an individual permit. The discharger shall submit to the Director an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. These reasons must fully document how an individual permit will apply to the applicant in a way that the general permit cannot. Ecology may make specific requests for information to support the request. The Director shall either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to the industrial

stormwater general permit, the applicability of the industrial stormwater general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G5. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following:

- A. When a change which occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit;
- B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW, for the category of dischargers covered under this permit;
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved; or
- D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this permit are unacceptable.

G6. REPORTING PLANNED CHANGES

The Permittee shall, as soon as possible, but no later than sixty (60) days prior to the proposed changes, give notice to Ecology of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in: 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b); 2) a significant change⁴ in the nature or an increase in quantity of pollutants discharged; or 3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, the general permit coverage may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G7. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to Ecology for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities shall be constructed and operated in accordance with the approved plans.

⁴ Substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants for this industry means a wastewater discharge increase of 25% more than the previous permit, a new source of raw water that requires different treatment processes and alters wastewater discharge characteristics, or change/addition of treatment to remove a substance not previously removed, altering the wastewater discharge characteristics.

G8. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G9. DUTY TO REAPPLY

The Permittee shall apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G10. TRANSFER OF COVERAGE UNDER THE GENERAL PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of their general permit coverage by letter, a copy of which shall be forwarded to Ecology.

A. Transfers by Modification

Except as provided in paragraph B below, this permit coverage may be transferred by the Permittee to a new owner or operator only if general permit coverage has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

B. Automatic Transfers

Coverage under this general permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies Ecology at least 30 days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittee's containing a specific date transfer of permit responsibility, coverage, and liability between them.
3. Ecology does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue their coverage under the general permit. A modification under the subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

G11. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G12. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G13. DUTY TO PROVIDE INFORMATION

The Permittee shall submit to Ecology, within a reasonable time, all information which Ecology may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to Ecology upon request, copies of records required to be kept by this permit.

G14. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G15. ADDITIONAL MONITORING

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G16. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by Ecology.

G17. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G18. UPSET

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that: 1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in condition S3.E; and 4) the Permittee complied with any remedial measures required under S4.C of this permit.

In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G19. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G20. DUTY TO COMPLY

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for termination, revocation and reissuance, or modification of permit coverage; or denial of a renewal application permit coverage.

G21. TOXIC POLLUTANTS

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G22. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

G23. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to Ecology by submission of a new application or supplement thereto at least one hundred and eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during non-critical water quality periods and carried out in a manner approved by Ecology.

G24. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to Ecology, it shall promptly submit such facts or information.

G25. COMPLIANCE SCHEDULES

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date.

G26. APPEALS

The terms and conditions of the industrial stormwater general permit are subject to appeal. There are two different appeal categories.

- A. The permit terms and conditions as they apply to the appropriate class of dischargers are subject to appeal within thirty (30) days of issuance of the industrial stormwater general permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC; and
- B. The applicability of the permit terms and conditions to an individual discharger are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

Consideration of an appeal of the industrial stormwater general permit coverage of an individual discharger is limited to the applicability or non-applicability of the industrial stormwater general permit to that same discharger. Appeal of this permit coverage of an individual discharger will not affect any other individual dischargers. If the terms and conditions of the industrial stormwater general permit are found to be inapplicable to any discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

G27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this general permit or application of any provision of this general permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby.